

Minutes of the Special Meeting of the
Long Beach Board of Zoning Appeals Held Thursday, January 3, 2013, 7:00 pm at the
Long Beach Town Hall

The meeting was called to order with the following Board Members present:
Nick Landers, Alan Hill, Cleo Brodsky, Peter Kelly and Rich Crain. Attorney for the
Board Chuck Lukmann was also present.

A motion was made by Cleo Brodsky and seconded by Rich Crain to approve the minutes
of the December 11, 2012 meeting of the Long Beach BZA. A voice vote was taken and
all ayes and no nays, motion carried.

Public Hearing for the Administrative Decision Appeal by resident, Thomas King for the
property located at 2230 Lake Shore Drive, Long Beach, IN 46360.

Attorney John Hughes introduced petition and proof of certified mailings to homeowners
within 300' of property. Hughes also presented the petition and focused on three major
points of said petition. 200' setback from lake, restriction on septic and floodplains,
restriction on septic on unsuitable fill material and lack of engineering study for a steep
slope.

Upon completion of presentation Nick Landers, Chairman, reviewed rules concerning the
public comment period. Landers then asked for public comments in favor of petition.
The Board heard from 9 residents in favor of the petition.

Landers then asked for public comment in opposition of the petition. Attorney Steve
Hale, representing the builder, reviewed all points of the petition, and presented witnesses
to counter validity of said points.

At 8:40 a 10 minute break was taken.

Attorney Barry McDonald, representing the original owner of property, spoke regarding
subdivision of property.

The Board heard from 6 residents opposed to the petition.
Chairman Landers then announced opposition comment period was complete.

Attorney Hughes, for the petitioner, offered a brief rebuttal.

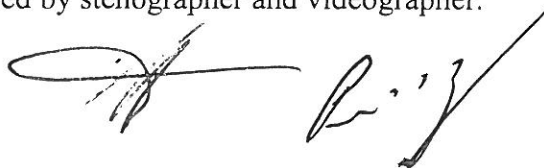
Chairman Landers asked the Board Members for their questions. Cleo Brodsky asked for
date of washout photo in presentation. Nick Landers asked for clarification of slope
determination, 200' setback rule and subdivision rules.

Attorney Lukmann explained to Board options and procedure. Peter Kelly motioned to
deny the petition and adopt the findings of fact prepared by Mr. Hale, excluding the last
sentence concerning resuming building. *(Attached)* Rich Crain seconded the motion. A
roll call vote was taken and all ayes and no nays, motion carried.

Rich motioned to adjourn meeting. Alan seconded motion. A voice vote was taken and
all ayes and no nays, motion carried.

Meeting adjourned.

Meeting recorded by stenographer and videographer.

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and appears to be 'N. Landers'. The signature on the right is more straightforward and appears to be 'R. Crain'.